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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,600	02/11/2002	Mark T. Girard	AKI00004/US/2	9085
33072	7590	09/09/2005	EXAMINER	
KAGAN BINDER, PLLC SUITE 200, MAPLE ISLAND BUILDING 221 MAIN STREET NORTH STILLWATER, MN 55082			KIM, PAUL D	
			ART UNIT	PAPER NUMBER
			3729	

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,600

Applicant(s)

GIRARD ET AL.

Examiner

Paul D. Kim

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 and 14 is/are allowed.
- 6) ☒ Claim(s) 1, 8, 9 and 12 is/are rejected.
- 7) ☒ Claim(s) 2-7, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Upon further consideration, examiner hereby withdraws the last final office action mailed on 6/6/2005. Since the new ground of rejection is not necessitated by amendment filed on 1/10/2005, the new ground of rejection should be on a non-final. See MPEP1208.02.

2. In view of the appeal brief filed on 3/14/2005, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Objections

3. Claims 10 and 11 are objected to because of the following informalities: The phrase "it" as recited in line 2 of claim 10 appears to be --the head/slider circuited gimbal assembly--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuizenga et al. (US PAT. 6,007,664).

Kuizenga et al. teach a process of forming a head gimbal assembly (10) comprising steps of: attaching a head/slider (12) having at least one termination pad to a flex circuit (30) having at least one electrical lead (32) to produce a head/slider circuited gimbal assembly as shown in Fig. 1; electrically connecting the at least one termination pad of the head/slider to the at least one electrical lead of the flex circuit; and attaching the head/slider circuited gimbal assembly to a suspension (20) as shown in Fig. 1 (see also col. 5, line 26 to col. 6, line 36).

As per claim 12 Kuizenga et al. also teach that traces (33) of the flex circuit (30) comprises of an electrically insulated linear thin substrate-free conductor (see col. 5, lines 38-41). It is meant that the conductive traces are covered with an electrically insulated material.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuizenga et al. in view of Smith, Jr. (US PAT. 5,864,054).

Kuizenga et al. teach all of the limitations as set forth above except a process of performing a dynamic electrical test on the head/slider circuited gimbal assembly.

Smith, Jr. teaches a process of testing a head assembly by flying the head/slider circuited gimbal assembly over a rotating media disk (20) as shown in Fig. 6 in order to detect the presence of asperities on a moving surface (see also col. 7, line 32 to col. 8, line 3). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify a process of fabricating a head gimbal assembly of Kuizenga et al. by performing dynamic electrical test on the head/slider circuited gimbal assembly as taught by Smith, Jr. in order to detect the presence of asperities on a moving surface.

Allowable Subject Matter

8. Claims 13 and 14 are allowed.

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9. Claims 2-7, 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to disclose the claimed invention such as a process of determining the at least one static angle of the head/slider circuited gimbal assembly after the at least one termination pad of the head/slider is electrically connected to the at least one electrical lead of the flex circuit (as per claim 2) and a process of determining an offset between the head/slider circuited gimbal assembly prior to attaching the head/slider circuited gimbal assembly to the suspension (as per claim 10) and a process of determining the at least one static angle of the head/slider circuited gimbal assembly prior to the step of attaching the head/slider circuited gimbal assembly to the suspension (as per claim 13). It is not obvious taken alone or in combination of other references fairly to suggest the claimed invention.

Response to Arguments

11. Applicant argues that the prior art of record fails to disclose the claimed invention such as attaching the head/slider the flex circuit and electrically connecting the head/slider to the at least one electrical lead of the flex circuit prior to attach the head/slider circuited gimbal assembly to the suspension. Examiner traverses the argument. Kuizenga et al. teach that the flex circuit (30) is constructed separate element to be later attached to the suspension (see col. 5, lines 26-28). Also, Kuizenga et al.

teaches that the head/slider is attached a connection tang (40) providing final position of the slider prior to attachment to the suspension (see also col. 6, lines 30-36). Therefore, the slider is attached to the connection tang of the flex circuit (equivalent with the head/slider circuited gimbal assembly) prior to attachment to the suspension.


Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D. Kim whose telephone number is 571-272-4565. The examiner can normally be reached on Monday-Friday between 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

pdk



PETER VO
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